

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELISEO BUCHANAN NAVA,

Defendant.

8:10CR19

ORDER

Defendant Eliseo Buchanan Nava (Nava) appeared before the court on August 15, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 50). Nava was represented by Assistant Federal Public Defender Karen M. Shanahan and the United States was represented by Assistant U.S. Attorney Frederick D. Franklin. Through his counsel, Nava waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Nava should be held to answer for a final dispositional hearing before Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Nava did not present any evidence or request a hearing. The court finds Nava has failed to carry his burden pursuant to 18 U.S.C. § 3143 and should be detained pending a dispositional hearing before Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 3:30 p.m. on August 30, 2012**. Defendant must be present in person.

2. Defendant Eliseo Buchanan Nava is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 15th day of August, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge